

House Bill 1477 (AS PASSED HOUSE AND SENATE)

By: Representative Hatfield of the 177th

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act creating the Satilla Regional Water and Sewer Authority, previously known
2 as the Ware County Water and Sewer Authority, approved October 1, 2001 (Ga. L. 2001,
3 Ex. Sess., p. 705), as amended, particularly by an Act approved May 30, 2003 (Ga. L. 2003,
4 p. 3689), by an Act approved May 5, 2006 (Ga. L. 2006, p. 4216), and by an Act approved
5 May 30, 2007 (Ga. L. 2007, p. 4367), so as to revise the manner of selection of the members
6 of the authority; to provide for related matters; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act creating the Satilla Regional Water and Sewer Authority, previously known as the
11 Ware County Water and Sewer Authority, approved October 1, 2001 (Ga. L. 2001, Ex. Sess.,
12 p. 705), as amended, particularly by an Act approved May 30, 2003 (Ga. L. 2003, p. 3689),
13 by an Act approved May 5, 2006 (Ga. L. 2006, p. 4216), and by an Act approved May 30,
14 2007 (Ga. L. 2007, p. 4367), is amended by revising subsection (d) of Section 2 as follows:

15 "(d) For purposes of electing members of the authority, each person, firm, corporation, or
16 other entity having an account with, and receiving services from, the authority shall be
17 entitled to cast one vote for each such account maintained with the authority in accordance
18 with the following procedures, provided that each person, firm, corporation, or other entity
19 shall be limited to a maximum of five votes:

20 (1) Each natural person holding an account individually shall be required, as a
21 precondition to submitting or signing a petition for the nomination of a candidate and to
22 receiving a voting ballot for the applicable account, to provide to the authority in writing
23 his or her full name and account number, as well as his or her accompanying sample
24 handwritten signature;

25 (2) Any account holder, including multiple concurrent holders of a single account, other
26 than a natural person holding an account individually shall be required, as a precondition

1 to submitting or signing a petition for the nomination of a candidate and to receiving a
2 voting ballot for the applicable account, to file with the authority a written designation
3 of the account number and the full name of the natural person authorized to submit or
4 sign petitions for the nomination of candidates and to cast votes on behalf of such
5 account, and to provide an accompanying sample handwritten signature of such natural
6 person; provided that the authority shall be required to immediately notify in writing the
7 account holder, by certified mail, return receipt requested, directed to the account
8 holder's billing address on file with the authority, of the receipt by the authority of
9 conflicting designations of natural persons authorized to submit or sign petitions for the
10 nomination of candidates and to cast votes on behalf of such account; and further
11 provided that the authority shall not provide a voting ballot to any such account holder
12 unless and until the authority receives satisfactory written evidence from such account
13 holder of the resolution of any such conflicting designations;

14 (3) Prior to each election for the position of a member of the authority, the authority shall
15 establish a period of time for the submission of nominations of candidates. Each sitting
16 member of the authority shall be entitled to nominate one candidate. Additionally, any
17 account holder complying with the provisions of paragraph (1) or (2) of this subsection
18 shall be entitled to submit one petition for nomination of a candidate, provided that such
19 petition, to be valid, shall be accompanied by the signatures of at least 50 other account
20 holders complying with the provisions of paragraph (1) or (2) of this subsection.
21 Following the close of the nominations period, the authority shall designate for inclusion
22 on the election ballot the name of each candidate nominated by a sitting authority
23 member, as well as the name of each candidate for which a valid petition for nomination
24 was submitted;

25 (4) In addition to the names of the candidates, the election ballot shall contain spaces for
26 the full name, account number, and handwritten signature of the account holder as
27 designated in paragraphs (1) and (2) of this subsection. The election ballot shall be
28 submitted by the authority to each account holder complying with the provisions of
29 paragraph (1) or (2) of this subsection by mailing such ballot, with the account holder's
30 monthly authority bill, to each account holder at such account holder's billing address on
31 file with the authority. After voting for one candidate and providing the account holder's
32 full name, account number, and handwritten signature, the account holder shall seal the
33 ballot in an envelope addressed to the auditor of the authority and shall mail or hand
34 deliver such ballot to the auditor of the authority at such address as may be designated by
35 said auditor. No ballot shall be counted which is not actually received by or on behalf of
36 the auditor at the address designated by the auditor on or before the due date of the
37 account holder's bill. No account holder shall submit his or her monthly authority bill

1 payment in the envelope containing the completed ballot which is submitted to the
2 auditor. The auditor of the authority shall tabulate the election ballots; provided,
3 however, that the auditor shall not count any ballot which, in the judgment of the auditor,
4 has been fraudulently prepared or fraudulently submitted or which otherwise fails to
5 comply with the procedural requirements set forth in paragraphs (1) through (4) of this
6 subsection; and

7 (5) The candidate receiving the greatest number of votes shall be elected as a member
8 of the authority, provided that such candidate must also receive a majority of the votes
9 cast. In the event that no candidate receives a majority of the votes cast, then the names
10 of the candidates having the two greatest numbers of votes shall be submitted to the
11 consumers of the authority on a runoff ballot in accordance with paragraph (4) of this
12 subsection. Thereafter, the candidate receiving a majority of the votes cast in such runoff
13 shall be elected as a member of the authority."

14 **SECTION 2.**

15 All laws and parts of laws in conflict with this Act are repealed.